

Defendants.

[Resolving 09-cv-1776 Doc. No. [36](#)]

On May 27, 2009, the Commission filed a separate Complaint against Integration Media, Inc., et al., in the Northern District of Illinois, Case No. 09-cv-1776 (“Case 1776”) . [Doc. [2](#).] This case was transferred to the Northern District of Ohio on July 22, 2009, [Doc. [33](#)], and subsequently reassigned to this Court on July 31, 2009. [Doc. [35](#).] In Case 1776, the Commission similarly alleged

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that the Defendants had engaged in a plan, program, or campaign to deceptively sell listings in an internet business directory, in violation of Section 5(a). [Doc. [2.](#)] No Defendant has filed an Answer to the Complaint.

Rule 42(a) of the Federal Rules of Civil Procedure permits consolidation of separate actions that involve common questions of law or fact. [FED. R. CIV. P. 42\(a\)](#). The Court has broad discretion to consolidate cases, taking into consideration judicial economy and the risks of separate, inconsistent adjudications. [Cantrell v. GAF Corp.](#), 999 F.2d 1007, 1011 (6th Cir. 1993).

Here, common questions of law and fact permeate the two cases, and the efficient use of judicial resources supports consolidation. The Complaints in Cases 1211 and 1776 are nearly identical. In each, the Commission alleges that the Defendants, all individuals and firms located in Montreal, Canada, used deceptive telemarketing practices to solicit internet directory listings and subsequent payments from small businesses and nonprofit organizations. [Doc. [1](#) & [2.](#)] Moreover, the Complaints indicate that the separate Defendants made similar representations and used similar tactics in dealing with consumers. [Doc. [1](#) & [2.](#)] Finally, both Complaints bring claims for violations of Section 5(a) of the Federal Trade Commission Act, [15 U.S.C. § 45\(a\)](#). [Doc. [1](#) & [2.](#)]

Therefore, this Court **GRANTS** the Plaintiff's Motion for Consolidation.

IT IS SO ORDERED.

Dated: August 24, 2009

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE